

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

TRAVEL TAGS, INC.,

Civil No. 09-1619 (JRT/AJB)

Plaintiff,

v.

UV COLOR, INC.,

**ORDER DENYING MOTION
FOR TEMPORARY
RESTRANDING ORDER**

Defendant.

David R. Fairbairn and Matthew J. DeRuyter, **KINNEY & LANGE, PA**, 312 South Third Street, Minneapolis, MN 55415-1002, for plaintiff.

Lora Mitchell Friedemann, Kurt J. Niederluecke, and Laura L. Myers, **FREDERIKSON & BYRON, PA**, 200 South Sixth Street, Suite 4000, Minneapolis, MN 55402-1425, Maya M. Eckstein and Bradley W. Grout, **HUNTON & WILLIAMS LLP**, 600 Peachtree Street NE, Suite 4100, Atlanta, GA 30308, for defendants.

On June 25, 2009, plaintiff Travel Tags, Inc. (“Travel Tags”) filed this patent infringement action against defendant UV Color, Inc. (“UV Color”). The patents at issue concern “account verification packs,” which provide security in the sale of packaged data cards (e.g. prepaid gift cards). On June 30, 2009, Travel Tags filed a motion for a temporary restraining order (“TRO”) that would prevent UV Color from selling competing account verification packs. As the Court indicated in the hearing on this matter, based on its expedited review of the incomplete record in this case – which covers disputed issues related to the validity of Travel Tags’ patents, numerous disputes over claim construction, and multiple infringement issues – the Court is not sufficiently

persuaded at this stage of the proceedings that the merits of Travel Tags' claims support an injunction. In addition, the Court is not yet convinced that any harm that Travel Tags will suffer through competition with UV Color would be irreparable, or that this harm would outweigh the impact of effectively shutting down UV Color's extensive account verification pack business. Accordingly, the Court concludes that withholding relief until the parties have had an opportunity to fully brief these difficult issues – and the Court has had an opportunity to conduct a full hearing in the near future – appropriately accommodates the parties' respective interests. Travel Tags' motion is therefore denied.

Based on the foregoing, all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Travel Tags, Inc.'s Motion for Temporary Restraining Order [Docket No. 4] is **DENIED**.

DATED: July 10, 2009
at Minneapolis, Minnesota.

s/ *John R. Tunheim*
JOHN R. TUNHEIM
United States District Judge